

Serial No. 10/039,812  
Nobbe et al.  
Case No. CS11202

### REMARKS

In the office action mailed April 20, 2005, the Examiner rejected claims 1-5, 7-10, 12-17 and 20 under 35 USC Section 103(a) as being unpatentable over Wagemans et al. in view of Donig et al. Claims 6, 11 and 18 were rejected under 35 USC Section 103(a) as being unpatentable over Wagemans, Donig and Lehtinen. In view of the following comments, the Examiner's rejection is respectfully traversed, and reconsideration of the claims is requested.

Wagemans fails to show or suggest a multiply-by-two circuit that doubles the reference frequency, a divide-by-three divides the doubled frequency, a delay generator coupled to the divide-by-three circuit, or an AND gate circuit as defined in claim 1. Almost every element of claim 1 is missing from Wagemans. Similarly, almost every element in claims 8 and 13 are also missing.

The Examiner states that Wagemans discloses dividers and multipliers. However, the multipliers in Wagemans are suggested as a substitute for a mixer in blocks 2 and 3. Wagemans does not show or suggest a multiplier and divider as claimed, let alone the value of multiplier and divider which the Examiner merely states is obvious. There is no suggestion of the claimed inventions in Wagemans, and Wagemans can not fairly be said to show or suggest the claimed invention or otherwise render the claimed invention unpatentable, but rather the Examiner is impermissibly reconstructing the claimed invention.

The Examiner states the secondary reference to Donig teaches a delay and logic gate, and Applicants infer from the rejection that the Examiner believes that it would have been obvious to provide the delay and logic gate of Donig in Wagemans. While Donig does teach delays and a logic gate, it in no way shows or suggests modification of Wagemans, let alone the specific claimed invention. Again, the Examiner appears to have reconstructed the claimed invention using Applicant's own application.

The Examiner states that the secondary reference to Lehtinen discloses "an additional frequency doubler. It is not clear to applicants how the teaching of Lehtinen would be combined with Wagemans and Donig at all, let alone to produce the claimed inventions.

Serial No. 10/039,812

Nobbe et al.

Case No. CS11202

Accordingly, it is respectfully submitted that the claims are in condition for allowance and a Notice of Allowance is solicited.

Respectfully Submitted

Nobbe, Dan et al.

BY: 

Randall S. Vaas

Date

Registration No. 34,479

Phone (847) 523-2327

Fax. No. (847) 523-2350